



# House of Representatives

General Assembly

**File No. 138**

February Session, 2012

Substitute House Bill No. 5250

*House of Representatives, March 27, 2012*

The Committee on Government Administration and Elections reported through REP. MORIN of the 28th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE APPOINTMENT OF PRIMARY POLLING PLACE OFFICIALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (c) and (d) of section 9-436 of the 2012  
2 supplement to the general statutes are repealed and the following is  
3 substituted in lieu thereof (*Effective from passage*):

4 (c) The registrar shall appoint from among the enrolled party  
5 members in the [municipality or political subdivision holding the  
6 primary, as the case may be] state, to serve in each polling place, the  
7 primary polling place officials, who shall consist of one moderator, at  
8 least one, but not more than two official checkers, not more than two  
9 challengers if [he] the registrar deems it necessary, and at least one and  
10 not more than two ballot clerks and at least one but not more than two  
11 voting tabulator tenders for each tabulator in use at such primary and,  
12 in towns with two or more voting districts at least one and not more  
13 than two assistant registrars, provided (1) [in the case of a political

14 subdivision holding a primary, if no enrolled party member who  
15 resides in the political subdivision and who is a certified moderator  
16 consents to serve as a moderator, the registrar may appoint any  
17 enrolled party member who resides in the municipality and is a  
18 certified moderator to be moderator, (2)] in the case of either a  
19 municipality or a political subdivision holding a primary, if no  
20 enrolled party member can be found or no such person consents to  
21 serve as a moderator, the registrar may appoint any elector who  
22 resides in the [municipality] state and is a certified moderator to be  
23 moderator, [(3)] (2) in the case of a political subdivision holding a  
24 primary, if an insufficient number of enrolled party members who  
25 reside in the [political subdivision] state consent to serve as checkers,  
26 challengers, voting tabulator tenders or assistant registrars, the  
27 registrar may appoint any [enrolled party member] elector who resides  
28 in the [municipality] state to be a checker, challenger, voting tabulator  
29 tender or assistant registrar, [(4) in the case of either a municipality or  
30 a political subdivision holding a primary, if a sufficient number of  
31 enrolled party members cannot be found or do not consent to serve in  
32 a position described in subdivision (3) of this subsection, the registrar  
33 may appoint any elector who resides in the municipality to any such  
34 position, and (5)] and (3) in the case of either a municipality or a  
35 political subdivision holding more than one primary on the same day  
36 for different political parties, one certified moderator may serve as  
37 moderator for both primaries, if the registrars of voters so agree. If  
38 unaffiliated electors are authorized under section 9-431 to vote for  
39 some but not all of the offices to be contested at the primary, the  
40 registrar shall appoint two additional checkers to check the list of  
41 unaffiliated electors who are authorized to vote on the separate  
42 tabulators. If unaffiliated electors are authorized under section 9-431 to  
43 vote in the primary of either of two parties in the same polling place,  
44 whether for some or for all offices to be contested at the primary, each  
45 such registrar shall appoint two additional checkers to check the list of  
46 unaffiliated electors who are authorized to vote in either such primary.

47 (d) The registrar shall designate one of the moderators so appointed  
48 by the registrar to be head moderator or shall appoint as head

49 moderator an elector who is not also moderator of a polling place and  
50 who shall be deemed a primary official. The registrar may also appoint  
51 a deputy head moderator to assist the head moderator in the  
52 performance of his duties. A deputy head moderator shall also be  
53 deemed to be a primary official. Each registrar's appointments of  
54 primary polling place officials, except moderators of polling places,  
55 and of designees to conduct supervised voting of absentee ballots  
56 pursuant to sections 9-159q and 9-159r shall be divided equally, as  
57 nearly as may be, between designees of the party-endorsed candidates  
58 and designees of one or more of the contestants, provided, if a party-  
59 endorsed candidate is a member of a party other than the one holding  
60 the primary, such primary officials shall be enrolled party members of  
61 the party holding the primary. Names of designees and alternate  
62 designees for such positions shall be submitted in writing by party-  
63 endorsed candidates and contestants to the registrar not later than ten  
64 days before the primary, except that names of designees and alternate  
65 designees for the position of moderator shall be so submitted not later  
66 than twenty-one days before the primary and, if such lists are not so  
67 presented, all such appointments shall be made by the registrar but in  
68 the above-mentioned proportion. The registrar shall notify all such  
69 candidates and contestants of their right to submit a list of designees  
70 under this section. Notwithstanding any other provision of this  
71 section, the registrar shall appoint as moderators only persons who are  
72 certified to serve as moderators or alternate moderators pursuant to  
73 section 9-229, unless there is an insufficient number of such persons  
74 who are enrolled members of the registrar's party [in the municipality  
75 or political subdivision] holding the primary, in which case the  
76 registrar may appoint a new moderator in accordance with section 9-  
77 229, but only to the extent of such insufficiency. Primary central  
78 counting moderators and absentee ballot counters shall also be  
79 deemed primary officials. No primary official shall perform services  
80 for any candidate at the primary on primary day.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	9-436(c) and (d)
-----------	---------------------	------------------

**GAE**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

---

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which removes the requirement that primary polling place officials reside in the municipality holding the primary, has no fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR BILL ANALYSIS****sHB 5250*****AN ACT CONCERNING THE APPOINTMENT OF PRIMARY POLLING PLACE OFFICIALS.*****SUMMARY:**

This bill lifts the requirement that primary polling place officials (i.e., moderators, deputy head moderators, checkers, challengers, voting tabulator tenders, assistant registrars, and absentee ballot counters) reside in the municipality or political subdivision holding the primary. It thus allows registrars of voters to appoint state electors to these positions, which they may already do for elections.

The law requires primary polling place officials to be enrolled members of the party holding the primary. The bill retains this requirement, with one exception. It allows registrars to appoint a state elector, regardless of party enrollment, as a checker, challenger, voting tabulator tender, or assistant registrar if an insufficient number of party members consent to serve in the positions.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15      Nay 0      (03/12/2012)